

REMARKS

This application has been amended in a manner that is believed to place it in condition for allowance at the time of the next Official Action.

Claims 1-2 and 4-19 are pending in the present application. Claims 1-2 and 4-6 have been amended. Claim 3 has been canceled. Support for amended claims 1 and 2 may be found in the published version of the above-identified application (Application No. US2004192872) at paragraph 81. The passage describes various grades of polymers with ethylene copolymerization ratio of about 25-50% by mold can be used in the present invention.

The Examiner's attention is also respectfully directed to paragraph 181 of the published application, wherein the application states that polyethylene terephthalate with low crystallinity is difficult to use as a mold material due to solubility problems with the monomer compositions. Applicants believe that this passage supports claims 7-11.

Support for claims 12-14 may be found in the published application at paragraph 182, which states that a photopolymerization method is preferable due to providing a stable polymerization in a short cycle time.

At this time, applicants note that new claims 15-18 are directed to hydrophilic polysiloxane monomers. Applicants

believe that claims 12-18 are supported in the published application at paragraph 160.

Support for claim 19 may be found in claims 1 and 2.

Thus, in view of the above, applicants believe that no new matter has been added to the present disclosure.

In the outstanding Official Action, claims 1-6 were rejected under 35 USC 102(b) as allegedly being anticipated by ONOZUKA. This rejection is respectfully traversed.

The Office Action contends that ONOZUKA discloses a mold made of ethylene-vinyl alcohol copolymer. However, the mold of ONOZUKA makes the surface of an ethylene-vinyl alcohol copolymer article chemically water-repellant by treating the surface with acetyl chloride. Thus, the surface of the mold itself is not a ethylene-vinyl alcohol copolymer. The mold of ONOZUKA is distinct from the claimed mold of the present invention.

Indeed, ONOZUKA describes in comparative examples 1, 2 and 6 that contact lenses were made by using a mold made of ethylene-vinyl alcohol copolymer but not with a chemically surface-treated area. In comparative examples 1 and 2, the mold had the lens material attached thereto or was damaged.

Thus, such a mold is not suitable for the production of contact lenses.

In comparative example 6 of ONOZUKA, a silicone releasing agent was applied to the surface of the mold but it

made the optical surface of the resulting contact lenses rough and turbid, resulting in the failure to produce usable contact lenses.

On the other hand, the ethylene-vinyl alcohol copolymer according to the present invention has an ethylene copolymerization ratio of about 25-50% by mole, as described in paragraph [0181] of US2004192872, the publication of the above-identified application. Thus, it is believed that the advantageous effect of the present invention can be obtained by using such a ethylene-vinyl alcohol copolymer.

Further, ONOZUKA in all the examples and comparative examples teaches that contact lenses were made by thermal Polymerization with AIBN (azobisisobutyronitrile) as a polymerization initiator. Applicants believe that this indicates that ONOZUKA does not disclose a mold for use in photopolymerization as set forth in the claimed invention.

Furthermore, contact lenses in comparative examples 1 and 6 of ONOZUKA were made of methyl methacrylate and ethylene glycol methacrylate. In comparative example 2, a contact lens was made of N-vinyl pyrrolidone, benzyl methacrylate and triethylene glycol, each with a non-surface-treated mold.

Thus, ONOZUKA does not disclose any mold for use in the production of contact lenses and hydrogel soft contact lenses made of a silicone monomer. Indeed, ONOZUKA does not disclose any mold made of nylon 66, nylon 6 or polyethylene terephthalate.

Thus, applicants believe that ONOZUKA fails to anticipate the claimed invention.

Claims 1-6 were rejected under 35 USC 102(b) as allegedly being anticipated by SHEPHERD. This rejection is respectfully traversed.

The Office Action states that SHEPHERD discloses a mold that comprises a male portion and a female portion and further discloses mold materials that include ethylene vinyl alcohol copolymers, nylon 6, nylon 66, thermoplastic polyesters, etc.

However, SHEPHERD only mentions several examples among a number of thermoplastic resins as being suitable. Moreover, SHEPHERD does not disclose polyethylene terephthalate or ethylene-vinyl alcohol copolymers having a particular ethylene copolymerization ratio.

In addition, the mold materials disclosed in the examples of SHEPHERD are limited to three kinds of high density polyethylene (Example 1(a)), ethylene vinyl acetate copolymer (Example 2 (a)) and nylon 11 (Example 3(a)). Thus, SHEPHERD does not disclose the use of any mold made of nylon 66, nylon 6, polyethylene terephthalate or ethylene-vinyl alcohol copolymer.

In view of the above, applicants believe that SHEPHERD fails to anticipate the claimed invention.

Claims 1-6 were rejected under 35 USC 102(a),(e) as allegedly being anticipated by OYAMA. This rejection is respectfully traversed.

The Office Action contends that OYAMA discloses a mold that comprises a male portion and a female portion and further discloses mold materials including ethylene vinyl alcohol copolymers, polyamides, polyesters, etc. However, OYAMA only mentions several examples among a number of thermoplastic resins as being suitable and does not disclose polyethylene terephthalate or ethylene-vinyl alcohol copolymers having a particular ethylene copolymerization ratio. OYAMA also does not disclose any mold materials in the examples or the specific use of a mold made of nylon 66, nylon 6, polyethylene terephthalate or ethylene-vinyl alcohol copolymer.

As a result, applicants believe that OYAMA does not anticipate claims 1-6 as set forth in the present application.

Claims 1-6 were rejected under 35 USC 102(b) as allegedly being anticipated by LEFEVRE. This rejection is respectfully traversed.

The Office Action states that LEFEVRE discloses a mold that comprises a male portion and a female portion and further discloses mold materials including ethylene-vinyl alcohol copolymers, nylon 6, nylon 66, thermoplastic polyesters, etc. However, LEFEVRE only mentions several examples among a number of thermoplastic resins as being suitable and does not disclose polyethylene terephthalate or ethylene-vinyl alcohol copolymers having a particular ethylene copolymerization ratio.

Further, the mold material disclosed in the examples of LEFEVRE is only one kind of polypropylene (Example 1). LEFEVRE does not disclose any specific use of a mold made of nylon 66, nylon 6, polyethylene terephthalate or ethylene-vinyl alcohol copolymer.

Thus, in view of the above, applicants believe that LEFEVRE does not anticipate the claimed invention.

Claims 1-6 were rejected under 35 USC 102(b) as allegedly being anticipated by JP857 (JP 06-170857). This rejection is respectfully traversed.

The Office Action states that JP857 discloses a mold that comprises a male portion and a female portion and further discloses mold materials including ethylene-vinyl alcohol copolymers, polyamides, etc. However, different materials are used in the male and female portions, respectively, in JP857. In the reference, the side of the front curve of contact lenses is made by a lathe-cutting process. As a result, it is considered that contact lenses are not directly formed from a mold but formed only as a semifinished product. Thus, no contact lens surface is directly formed from the female portion of the mold.

This stands in contrast to the present invention. The claimed mold is intended for forming the front surface and the rear surface of a contact lens at the same time from the surface of the mold, and thus distinct from the mold of JP857. In particular, the Examiner's attention is directed to claim 19.

In JP857, materials for the male portion include polyamides, ethylene-vinyl alcohol copolymers, polyacetals, and amorphous polyolefins, and materials for the female portion include polyethylenes, polypropylenes, polycarbonates, polystyrenes, and acrylic resins. JP857 does not disclose the use of a mold made of polyethylene terephthalate, nylon 66, nylon 6, or ethylene-vinyl alcohol copolymers having a particular ethylene copolymerization ratio.

Indeed, in example 3 of JP857, ethylene-vinyl alcohol copolymer was used for the male portion of the mold and polymethyl methacrylate for the female portion thereof. The front curve of contact lenses were made by subjecting the surface thereof to a lathe-cutting. Thus, it cannot be said that the surfaces of the contact lenses were formed from a mold.

As a result, applicants believe that the JP857 publication fails to anticipate the claimed invention.

Claims 1-6 were rejected under 35 USC 102(b) as allegedly being anticipated by JP378 (JP 08-025378). This rejection is respectfully traversed.

The Office Action states that JP378 discloses a mold that comprises a male portion and a female portion and further discloses mold materials including ethylene vinyl alcohol copolymers, polyamides, polyesters, etc. In JP378, materials for the mold include polyamides, ethylene-vinyl alcohol copolymers, polyacetals, and amorphous polyolefins, most preferably ethylene-

vinyl alcohol copolymers. In the reference, however, the side of the front curve of the contact lenses is made by a lathe-cutting process. Therefore, it is considered that contact lenses are not directly formed from a mold but formed only as a semifinished product. Thus, no contact lens surface is directly formed from the female portion of the mold. On the other hand, the claimed mold of the present invention is intended for forming the front surface and the rear surface of a contact lens at the same time from the surface of the mold, and thus clearly different from the mold of JP378.

In examples 1, 3 and 6 of JP378, "Soarlite", an ethylene-vinyl alcohol copolymer recited in the present application, was used for the male portion of the mold and polypropylene for the female portion thereof. Thus, the front side of contact lenses were formed by a lathe-cutting process, clearly revealing that both surfaces of contact lenses were not formed from a mold.

JP378 does not disclose any specific use of a mold made of polyethylene terephthalate, nylon 66 or nylon 6.

As the JP378 publication does not disclose nor suggest the claimed invention, applicants believe that the publication fails to anticipate the claimed invention.

Claims 1-6 were rejected under 35 USC 102(b) as allegedly being anticipated by the JP699 publication (JP 11-320699). This rejection is respectfully traversed.

The Patent Office contends that JP699 discloses a mold that comprises a male portion and a female portion and further discloses mold materials including ethylene-vinyl alcohol copolymers, polyamides, polyesters, etc. In JP699, materials for the mold include polyamides, ethylene-vinyl alcohol copolymers, polyacetals, polyesters, polysulfones, polyolefins, most preferably ethylene-vinyl alcohol copolymers.

However, JP699 does not disclose a mold made of polyethylene terephthalate, nylon 66, nylon 6 or ethylene-vinyl alcohol copolymers having a particular ethylene copolymerization ratio. In the reference, the side of the front curve of the contact lenses is made by a lathe-cutting process. Therefore, it is believed that contact lenses are not directly formed from a mold but formed only as a semifinished product. As a result, no contact lens surface is directly formed from the female portion of the mold.

On the other hand, the claimed mold of the present invention is used to form the front surface and the rear surface of a contact lens at the same time from the surface of the mold.

In examples 1 and 2 of JP699, an ethylene-vinyl alcohol copolymer was used for the male portion of the mold but polypropylene was used for the female portion thereof. The front side of the contact lenses were formed by a lathe-cutting process, revealing that the both surfaces of contact lenses were not formed from the mold.

Thus, in view of the above, applicants believe that the JP699 publication fails to anticipate the claimed invention.

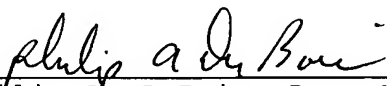
In view of the present amendment and the foregoing Remarks, therefore, applicants believe that the present application is in condition for allowance at the time of the next Official Action, with claims 1-2 and 4-15, as presented. Allowance and passage to issue on that basis is respectfully requested.

Please charge the fee of \$800 for the four extra independent claims added herewith, to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON


Philip A. DuBois, Reg. No. 50,696
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

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APPENDIX:

The Appendix includes the following item(s):

- ☐ - a terminal disclaimer
- ☐ - a 37 CFR 1.132 Declaration
- ☒ - a new or amended Abstract of the Disclosure
- ☐ - a Replacement Sheet for Figure of the drawings
- ☐ - a Substitute Specification and a marked-up copy of the
originally-filed specification
- ☐ - a verified English translation of foreign priority
document